



Tuesday, February 24, 2015

House Budget & Research Office
(404) 656-5050

House Communications Office
(404) 656-0305

- The House will reconvene for its 2nd Legislative Day on Wednesday, February 25 at 10:00 a.m.
- The Rules committee will meet at 9:00 a.m.
- Four bills and one resolution are expected to be debated on the floor.

Today on the Floor

Rules Calendar

HB 63 Georgia Employer GED Tax Credit Act of 2015; enact

Bill Summary: HB 63 revises the basic skills education programs income tax credit by allowing for a \$400 credit to the employer, when that employer pays for an employee to take the GED test through the technical school system of Georgia, or a \$1,200 credit when that employer gives paid time off to the employee to prepare for the GED and take the test.

Authored By: Rep. Kevin Tanner (9th)
House Committee: Ways & Means

Rule Applied: Structured
Committee Action: 02-12-2015 Do Pass by Committee Substitute

Floor Vote: Yeas: 170 Nays: 1

Amendments:

HB 73 Public officers; counties and municipalities provide by local law for district durational residency requirements; authorize

Bill Summary: House Bill 73 reserves the power of the General Assembly to pass a local law requiring candidates running for any county or municipal governing body or board of education to reside within their electing district for a period not to exceed 12 months before those individuals are eligible to seek election from that district.

Authored By: Rep. Scot Turner (21st)
House Committee: Governmental Affairs

Rule Applied: Modified-Structured
Committee Action: 02-11-2015 Do Pass

Floor Vote: Yeas: 130 Nays: 39

Amendments:

HB 199 Timber harvesting; require notice only in an approved form; provisions

Bill Summary: House Bill 199 amends Part 1A of Article 1 of Chapter 6 of Title 12, relating to timber harvesting and removal requirements, by changing the timing notices to local governing authorities, clarifying the bond requirement, and stating that no county shall require a fee for receiving a notification of a timber harvest. The bill requires that all persons or firms harvesting standing timber provide notice, to the proper county or municipal governing authority, of the harvesting operation prior to entering onto the property if possible but not later than 24 hours upon entering onto the property and within 24 hours after the harvesting is completed. The bill also states that only one bond shall be required in each county regardless of the number of tracts being harvested so long as the bond remains in effect; otherwise, a valid replacement bond must be obtained and provided to the governing authority within five business days.

Authored By: Rep. John Corbett (174th)
House Committee: Natural Resources & Environment

Rule Applied: Modified-Open
Committee Action: 02-19-2015 Do Pass by Committee Substitute

Floor Vote: Yeas: 172 Nays: 1

Amendments:

HB 206 Uniform rules of the road; procedure for passing sanitation vehicles; provide

Bill Summary: House Bill 206 relates to the general provisions relative to uniform rules of the road and is amended by adding a new Code section that states that the operator of a motor vehicle approaching a vehicle with active sanitation workers that is displaying flashing yellow, amber, white, or red lights shall approach the vehicle with due caution and shall, absent any other direction by a peace officer, proceed as follows: make a lane change into a lane not adjacent to the vehicle; or if lane change is not possible, reduce the speed of the motor vehicle to a reasonable and proper speed for the existing road and traffic conditions, which speed shall be at least ten miles per hour less than the posted speed limit, and be prepared to stop.

Authored By: Rep. Brett Harrell (106th)

House Committee: Public Safety & Homeland Security

Floor Vote: Yeas: 159 Nays: 12

Rule Applied: Modified-Structured

Committee Action: 02-19-2015 Do Pass

Amendments:

HB 217 Investments; public retirement systems to invest in mutual funds, commingled funds, collective investment funds, common trusts, and group trusts; authorize

Bill Summary: HB 217 amends O.C.G.A. 20-2-83 relating to the certified and uncertified forms of investment and real estate investment under the Public Retirement System Standards. The bill expands the list of allowable investments that can be used for public retirement funds to include mutual funds registered with the Securities and Exchange Commission under the 'Investment Company Act of 1940' and commingled funds and collective investment funds regulated by the Office of the Comptroller of the Currency of the United States Department of Treasury, including common and group trusts. HB 217 has been certified as a nonfiscal retirement bill by the Georgia Department of Audits and Accounts.

Authored By: Rep. Howard Maxwell (17th)

House Committee: Retirement

Floor Vote: Yeas: 167 Nays: 0

Rule Applied: Open

Committee Action: 02-18-2015 Do Pass by Committee Substitute

Amendments:

HB 246 Accountants; provide for powers and actions granted to other licensing boards; provisions

Bill Summary: This bill amends Chapter 3 of Title 43 of the Official Code of Georgia Annotated, relating to accountants, to provide for powers and actions granted to other licensing boards, and that the State Board of Accountancy is administratively attached to the State Accounting Office.

Authored By: Rep. David Knight (130th)

House Committee: Small Business Development

Floor Vote: Yeas: 142 Nays: 26

Rule Applied: Modified-Open

Committee Action: 02-17-2015 Do Pass

Amendments:

HB 256 Georgia Firefighters' Pension Fund; provide new definitions; provisions

Bill Summary:

HB 256 amends O.C.G.A. 47-27-1 relating to the Georgia Firefighters' Pension Fund. The bill does the following:

- Defines active member, inactive member, retired member, suspended member, and withdrawn member;
- Modifies the structure of the Board;
- Allows a member to select up to five beneficiaries for optional benefits or for death benefits of an active member;
- Increases the maximum fine for false statements from \$500 to \$2,000;
- Authorizes the board to order a member to forfeit all rights and benefits entitled to under the Fund if they make false statements, obtain benefits they are not entitled to receive, or obtain an amount than they are entitled to receive beginning on or after July 1, 2015;
- Clarifies that a member's break in service greater than 30 days must meet certain criteria for active status to be reinstated;

- Details that an active member who leaves may file for a leave of absence in which the member would become inactive and would be required to reapply for a leave of absence every two years; and,
- Explains that an inactive member may be reinstated as an active member provided they meet the eligibility criteria for membership.

HB 256 has been certified as a nonfiscal retirement bill by the Georgia Department of Audits and Accounts.

Authored By: Rep. Howard Maxwell (17th)
House Committee: Retirement

Rule Applied: Open
Committee 02-18-2015 Do Pass
Action:

HB 266 Retirement and pensions; investment authority of local retirement systems; correct certain provisions

Bill Summary: HB 266 amends O.C.G.A. 47-1-12 relating to investment and reinvestment of assets of local retirement systems, valuation and limitation on investments, and duties of the state auditor. The bill refers the terms, conditions, limitations, and restrictions from “the laws of this state upon domestic life insurance companies” to the Code section relating to “Public Retirement Systems Investment Authority”. HB 266 has been certified as a nonfiscal retirement bill by the Georgia Department of Audits and Accounts.

Authored By: Rep. Paul Battles (15th)
House Committee: Retirement

Rule Applied: Modified-Structured
Committee 02-18-2015 Do Pass
Action:

Floor Vote: Yeas: 168 Nays: 0

Amendments:

Postponed Until Next Legislative Day

HR 304 Georgia's technical schools, colleges and universities; expand gerontology and dementia education and training; encourage

Bill Summary: House Resolution 304 encourages Georgia's technical schools, colleges, and universities to expand gerontology and dementia education and training to address the growing needs of an aging population.

Authored By: Rep. Sharon Cooper (43rd)

Rule Applied: Open

Next on the Floor from the Committee on Rules

The Committee on Rules has fixed the calendar for the 2nd Legislative Day, Wednesday, February 25, and bills may be called at the pleasure of the Speaker. The Rules Committee will next meet on Wednesday, February 25, at 9:00 a.m., to set the Rules Calendar for the 3rd Legislative Day.

HB 59 State tort claims; waiver of sovereign immunity for declaratory judgment or injunctive relief; provide

Bill Summary: HB 59 waives the state's defense of sovereign immunity as to any action brought in the courts of this state by an aggrieved person seeking declaratory judgment or injunctive relief.

Authored By: Rep. Wendell Willard (51st)

House Committee: Judiciary

Rule Applied: Modified-Structured

Committee 02-10-2015 Do Pass by Committee

Action: Substitute

HB 85 Alcoholic beverages; sale or furnishing to patients or inmates of Central State Hospital and sale or possession near or upon the grounds; change certain provisions

Bill Summary: HB 85 regulates the furnishing of alcohol in certain areas including prisons and hospitals. This act prevents the solicitation of alcohol with any person in lawful confinement and not allowing possession within 200 yards of such designated institutions.

Authored By: Rep. Brett Harrell (106th)

House Committee: Regulated Industries

Rule Applied: Modified-Structured

Committee 02-17-2015 Do Pass

Action:

HB 211 Controlled substances; Schedule I, III, and IV; change certain provisions

Bill Summary: This is the annual update to the list of prohibited controlled substances.

Authored By: Rep. Bruce Broadrick (4th)

House Committee: Judiciary Non-Civil

Rule Applied: Modified-Structured

Committee 02-18-2015 Do Pass

Action:

HB 261 Alcoholic beverages; sale during certain times on Sunday in commercial service airports owned or operated by a municipal governing authority; provide

Bill Summary: HB 261 allows for sale of alcohol in commercial service airports which are operated by municipal governments only in the areas accessible by ticketed passengers who have passed security.

Authored By: Rep. Brett Harrell (106th)

House Committee: Regulated Industries

Rule Applied: Modified-Structured

Committee 02-17-2015 Do Pass by Committee

Action: Substitute

Committee Actions

Bills passing committees are reported to the Clerk's Office and are placed on the General Calendar.

Banks & Banking Committee

HB 299 Contracts; provide for definitions; provisions

Bill Summary: HB 299 amends Chapter 1 of Title 13 to allow lenders to charge a “convenience fee,” subject to the debit and credit card acceptance agreement, to debtors paying off loans through credit cards, debit cards, and other electronic payment methods. Lenders are only permitted to charge a convenience fee for industrial loans, retail installment and home solicitation sale contracts, motor vehicle financing contracts, and insurance premium finance agreement. Lenders charging a convenience fee must clearly disclose the fee and provide other payment options to debtors.

Authored By: Rep. Emory Dunahoo (30th)

House Committee: Banks & Banking

Committee Action:

02-24-2015 Do Pass by Committee Substitute

Energy, Utilities & Telecommunications Committee

HB 201 Public utilities; telephone system for the physically impaired; provisions

Bill Summary: This bill relates to telephone systems for the physically impaired, so as to change certain provisions relating to the establishment, administration, and operation of the statewide dual party relay service and audible universal information access service.

Authored By: Rep. Don Parsons (44th)

House Committee: Energy, Utilities & Telecommunications

Committee Action:

02-24-2015 Do Pass by Committee Substitute

Higher Education Committee

HB 315 Technical and adult education; change name of Technical College System of Georgia to Georgia Career College System; provisions

Bill Summary: House Bill 315 changes the name of the State Board of the Technical College System of Georgia to the State Board of the Georgia Career College System.

Authored By: Rep. Chad Nimmer (178th)

House Committee: Higher Education

Committee Action:

02-24-2015 Do Pass

Intragovernmental Coordination - Local Committee

HB 307 Sandersville, City of; election of members of city council; change provisions

Bill Summary: A Bill to reapportion the City of Sandersville, so as to change the provisions regarding election of members of the city council.

Authored By: Rep. Mack Jackson (128th)

House Committee: Intragovernmental Coordination - Local

Committee Action:

02-24-2015 Do Pass by Committee Substitute

HB 388 Wilcox County; Probate Court; judge serves as chief magistrate of Magistrate Court on or after June 1, 2015; provisions

Bill Summary: A Bill to provide that the judge of the Probate Court of Wilcox County shall also serve as the chief magistrate of the Magistrate Court.

Authored By: Rep. Buddy Harden (148th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 02-24-2015 Do Pass

HB 398 Monticello, City of; dissolve municipal court

Bill Summary: A Bill to amend an Act to incorporate and grant a new charter to the City of Monticello.

Authored By: Rep. Susan Holmes (129th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 02-24-2015 Do Pass

HB 400 Clermont, Town of; completely revise charter

Bill Summary: A Bill to amend an Act incorporating the Town of Clermont in Hall County, so as to completely revise such charter.

Authored By: Rep. Lee Hawkins (27th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 02-24-2015 Do Pass

HB 403 Washington County; board of elections and registration; create and provide powers and duties

Bill Summary: A Bill to create a board of elections and registration for Washington County and to provide for its powers and duties.

Authored By: Rep. Mack Jackson (128th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 02-24-2015 Do Pass

HB 404 Glascock County; office of county treasurer; abolish

Bill Summary: A Bill to abolish the office of county treasurer of Glascock County.

Authored By: Rep. Mack Jackson (128th)
House Committee: Intragovernmental Coordination - Local
Committee Action: 02-24-2015 Do Pass by Committee Substitute

HB 410 Cobb County; State Court; change compensation of judges

Bill Summary: A Bill to amend an Act creating the State Court of Cobb County providing a compensation supplement to the judges of the state court.

Authored By: Rep. Stacey Evans (42nd)
House Committee: Intragovernmental Coordination - Local
Committee Action: 02-24-2015 Do Pass

HB 413 Cherokee County; board of commissioners; candidates shall have resided within respective district from which they seek election for period of at least 12 months immediately preceding election; provide

Bill Summary: A Bill to amend an Act creating the Board of Commissioners of Cherokee County, so as to provide that candidates shall have resided within the respective district from which they seek election for a period of at least 12 months.

Authored By: Rep. Scot Turner (21st)
House Committee: Intragovernmental Coordination - Local
Committee Action: 02-24-2015 Do Pass

HB 425 Americus, City of; provide for a city manager; provisions

Bill Summary: A Bill to amend an Act providing a new charter for the City of Americus, so as to provide for a city manager.

Authored By:	Rep. Mike Cheokas (138th)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-24-2015 Do Pass

HB 431 Lowndes County; levy an excise tax

Bill Summary: A Bill to authorize the governing authority of Lowndes County to levy a hotel/motel tax.

Authored By:	Rep. Jason Shaw (176th)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-24-2015 Do Pass

SB 75 Putman County; board of commissioners; provide for staggered terms

Bill Summary: A Bill to amend an Act creating the board of commissioners for the Putnam County.

Authored By:	Sen. Burt Jones (25th)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-24-2015 Do Pass

SB 84 Tybee Island, City of; provide for an advisory referendum election; construction of a public swimming pool

Bill Summary: A Bill to provide for an advisory referendum election to be held in the City of Tybee Island for the purpose of determining if the construction of a public swimming pool with municipal funds.

Authored By:	Sen. Ben Watson (1st)		
House Committee:	Intragovernmental Coordination - Local	Committee Action:	02-24-2015 Do Pass

Judiciary Committee**HB 233 Georgia Uniform Civil Forfeiture Procedure Act; enact**

Bill Summary: House Bill 233, the 'Georgia Uniform Civil Forfeiture Procedure Act' (UCFPA), seeks to bring uniformity, clarity, and accountability to Georgia civil forfeiture procedure. The UCFPA provides for increased transparency and oversight in the civil forfeiture process by strengthening the mandatory reporting requirements of all law enforcement agencies. It standardizes civil forfeiture procedure statewide, collecting the disparate provisions into one uniform procedure to be followed for almost all civil forfeitures. Ultimately, the Act aims to strike a balance between promotion of public safety – by ensuring that individuals proven guilty of a crime are forced to turn over the fruits of their illegal activity – and protection of innocent individuals, to ensure their property will not be taken.

The UCFPA provides for due process safeguards to assist innocent owners in recovering seized property. By simplifying the standard for initiating a claim to recover wrongfully seized property, the Act reduces the likelihood that procedural pitfalls will deprive an innocent owner of his or her day in court. A provision of the Act allows the judge in a civil forfeiture action to grant either party additional opportunity for investigation into the facts and issues involved. Additionally, it permits anyone who has a claim to the seized property to appear before the court to defend his or her interest. The Act eliminates imposition of the State's litigation costs on an unsuccessful forfeiture claimant; this provision encourages innocent owners to bring their claims by eliminating the chilling

effect generated by the possibility of paying the legal expenses of both sides in addition to forfeiting the seized property.

The Act strengthens and standardizes the mandatory reporting requirements of all law enforcement agencies by requiring agencies to provide a proper accounting of all property and funds derived from seizures and forfeitures, and recognize that the proceeds become public funds through the forfeiture. The UCFPA defines the specific purposes for which law enforcement agencies may use forfeited proceeds. Payment of salaries or rewards to law enforcement officers would not be considered an authorized expenditure. The Act resolves ambiguities in reporting procedure by authorizing the creation of a standardized reporting form and placing the duty to submit the form annually on all law enforcement agencies, which have control over expenditure of any forfeiture proceeds.

Authored By: Rep. Alex Atwood (179th)

**House
Committee:** Judiciary

**Committee
Action:** 02-24-2015 Do Pass by Committee
Substitute

HB 245 Condominiums; amount permissible as a special assessment fee; change

Bill Summary: HB 245 changes the maximum amount per fiscal year that the board of directors of a condominium association may charge as a special assessment fee per unit in a condominium instrument without approval of a majority of unit owners. The current law allows for a maximum fee of \$200; HB 245 allows for one-sixth of the annual common expense assessment for each unit.

Authored By: Rep. Matt Dollar (45th)

**House
Committee:** Judiciary

**Committee
Action:** 02-24-2015 Do Pass

HB 367 Superior courts; fourth judge of Western Judicial Circuit; provide

Bill Summary: HB 367 provides for the addition of a fourth superior court judge in the Western Judicial Circuit.

Authored By: Rep. Regina Quick (117th)

**House
Committee:** Judiciary

**Committee
Action:** 02-24-2015 Do Pass by Committee
Substitute

Regulated Industries Committee

HB 253 Real estate appraisers; requirements for establishment and maintenance of a real estate appraisal management company; change certain provisions

Bill Summary: HB 253 restricts appraisal management companies from paying fees to any appraiser performing any real estate appraisal activity regarding federal related transactions without complying with rules and regulations according to federal law and in accordance with standards required by the federal financial institution regulatory agency which regulates such transactions. The bill allows for real estate appraiser to appeal to federal court without leaving the state.

Authored By: Rep. Mandi Ballinger (23rd)

**House
Committee:** Regulated Industries

**Committee
Action:** 02-24-2015 Do Pass

HB 316 Professional corporations; practice of medicine and surgery and optometry shall be considered the practice of only one profession; provide

Bill Summary: This bill allows ophthalmologists to organize and jointly own a professional corporation with optometrists so long as they continue to practice within their respective scopes established by law.

Authored By: Rep. Albert Reeves (34th)
House Regulated Industries
Committee:

Committee 02-24-2015 Do Pass by Committee
Action: Substitute

HB 340 Alcoholic beverages; sales on Sunday during Saint Patrick's Day holiday period; change certain provisions

Bill Summary: HB 340 Allows for a more flexible time period for bars to sell alcohol over the Saint Patrick's Day holiday.

Authored By: Rep. Jesse Petrea (166th)
House Regulated Industries
Committee:

Committee 02-24-2015 Do Pass
Action:

Committee Meeting Schedule

This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change.

To keep up with the latest schedule, please visit www.house.ga.gov and click on [Meetings Calendar](#).

Wednesday, February 25, 2015

10:00 AM	FLOOR SESSION (LD22) - 10:00am
7:30 AM	INSURANCE - 606 CLOB
8:00 AM	APPROPRIATIONS - 341 CAP
9:00 AM	RULES - 341 CAP
1:00 PM	AGRICULTURE & CONSUMER AFFAIRS - 606 CLOB
1:00 PM	INTERSTATE COOPERATION - 415 CLOB
1:00 PM	Academic Innovations Subcommittee of Education - 403 CAP
1:30 PM	JUDICIARY NON-CIVIL - 132 CAP
2:00 PM	DEFENSE & VETERANS AFFAIRS - 415 CLOB
2:00 PM	STATE PROPERTIES - 403 CAP
2:00 PM	Elections Subcommittee of Governmental Affairs - 406 CLOB (2:00-2:15pm)
2:00 PM	RETIREMENT - 515 CLOB- CANCELED
2:30 PM	GOVERNMENTAL AFFAIRS - 406 CLOB (2:15pm- Upon Adjournment of Elections Subcommittee)
3:00 PM	TRANSPORTATION - 506 CLOB
3:00 PM	EDUCATION - 606 CLOB
3:00 PM	JUVENILE JUSTICE - 406 CLOB
3:00 PM	Fleming Subcommittee of Judiciary Civil - 403 CAP